

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SHOREBANK, an Illinois banking
corporation,

Plaintiff,

Case No. 1:09-cv-00306

v.

BAYVIEW APARTMENTS, LLC,
a Michigan limited liability company,
and MARK J. HAUSNER, individually,
jointly and severally,

Hon. Paul L. Maloney
Chief U.S. District Judge

Defendants.

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JUDGMENT AGAINST MARK J. HAUSNER

This matter is before the Court pursuant to the Opinion and Order entered January 22, 2010 [Docket No. 57] (the “Order”) on Plaintiff ShoreBank’s Motion for Summary Judgment on Count I of its Amended Verified Complaint (the “Motion”). The Court has reviewed the Notice of Damages submitted pursuant to the Order, and notes the Objection to the Notice of Damages and Proposed Judgment filed by Defendant, Mark J. Hausner [docket No. 61]. The Court is advised that the Objections have been resolved. The Court finds good cause for entry of this Order;

NOW, THEREFORE,

IT IS HEREBY ORDERED AND ADJUDGED:

1. That Judgment is entered for Plaintiff ShoreBank and against Mark J. Hausner in the amount of \$4,289,489.93 with applicable interest to accrue thereon from and after the date of this judgment pursuant to 28 USC §1961, and Plaintiff shall have full rights of execution thereon.
2. The Amended Notice of Damages [Docket No. 63] is incorporated herein by reference.
3. In the event of a sale or other disposition of the real and personal property under the control of the Receiver (the "Property"), the net proceeds received by Plaintiff shall be applied to reduce the judgment amount.
4. This order is without prejudice to Plaintiff's rights to amend the judgment to include any additional out of pocket costs incurred by Plaintiff, including, but not limited to payments to the Receiver for operation of the Property, payments to vendors during the Receivership, and costs and expenses associated with the Receiver's and Plaintiff's sale or other disposition of the Property.
5. The Receivership shall continue until further order of this Court.

DATED: March 25, 2010

/s/ Paul L. Maloney
UNITED STATES DISTRICT COURT JUDGE

Approved for entry:


John Sharp (P29042)
Attorney for Defendants
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